



UNITED STATES DISTRICT COURT
for the
Southern District of Mississippi

United States of America)

v.)

Kylin D. Russell)

) Case No. 3:24-mj-117-LGI

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 9, 2024 in the county of Hinds in the
Southern District of Mississippi, the defendant(s) violated:

| <i>Code Section</i> | <i>Offense Description</i> |
|---------------------|--------------------------------|
| 18 U.S.C. § 922(o) | Illegal machinegun possession. |

This criminal complaint is based on these facts:

See the affidavit of Special Agent Joshua Garrett of the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives.

Continued on the attached sheet.

Complainant's signature

Joshua Garrett, Special Agent, ATF

Printed name and title

Sworn to before me and signed in my presence.

Date: 2/14/2024

Judge's signature

City and state: Jackson, Mississippi

Magistrate Judge LaKeysha Greer Isaac

Printed name and title

AFFIDAVIT

I, Joshua Garrett, Special Agent of the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF), being duly sworn, hereby state as follows:

INTRODUCTION

I am a Special Agent with the ATF, currently assigned to the Jackson Field Office of the New Orleans Field Division. I have been so employed by the ATF since February 2023. I am a graduate of the Federal Law Enforcement Training Center Criminal Investigator Training Program as well as the ATF National Academy Special Agent Basic Training. I have received investigative training in overt/covert investigations regarding criminal acts involving firearms and narcotics trafficking by individuals, organizations, and/or gangs. Prior to being employed by the ATF, I was employed as a Deputy Sheriff with the DeSoto County, Mississippi Sheriff’s Department for approximately twelve years. During my employment with the DeSoto County Sheriff’s Department, I spent several years in the Special Investigations Division, which was the drug investigations unit of the Sheriff’s Department. During my time with the Special Investigations Division, I took part in hundreds of short term and long term investigations involving drugs, firearms, gangs, currency, violent crimes, and property crimes. I have taken part in hundreds of surveillance operations as well as hundreds of investigations involving the use of undercover officers and confidential informants. Additionally, I have attended training regarding interview and interrogation (Regional Counterdrug Training Academy/RCTA), emergency narcotics operations (RCTA), Prescription Drug Investigations (RCTA), Proactive Patrol Tactics (Street Cop Training), among others.

I am involved in the investigation of Kylin Demond RUSSELL, (B/M, DOB: 10/24/2001, SSN: 426-91-5437) for violating Title 18, United States Code, 922(o), illegal possession of a machine gun. RUSSELL was arrested on Friday, February 9, 2024, after a pursuit involving Mississippi Capitol Police Department (CPD) officers. RUSSELL was the driver of a gray Toyota Camry (no tag displayed, VIN: 4T1B61HK5JU088147), which failed to yield when CPD officers attempted to stop it after it turned around at a safety checkpoint at Bailey Avenue and Melvin Bender Drive in Jackson, MS. At the culmination of the pursuit, RUSSELL was arrested after fleeing on foot and was seen discarding an AR-style pistol. During an inventory of the vehicle, a Glock 21, .45 caliber pistol, serial number AGSD807, with a black in color attached suspected machinegun conversion device (MCD) was found in the driver side floorboard, and a Glock 23, .40 caliber pistol, serial number AFZH807, with a blue in color attached suspected MCD was located on the front passenger seat of the vehicle. This pistol also had an extended magazine.

The information contained in this affidavit in support of criminal complaint is based on my own knowledge and information and upon information provided to me by other law enforcement officers and agents familiar with the facts involved. Since this affidavit is submitted only for the limited purposes of securing a criminal complaint for RUSSELL, I have not set forth each and every fact concerning this investigation. I have included what I believe are facts sufficient to establish probable cause for the criminal complaint sought.

SUMMARY OF PROBABLE CAUSE

The Mississippi Capitol Police Department (CPD) arrested RUSSELL after he attempted to evade a safety check point and led officers on a high-speed chase through Jackson. At the conclusion of the high-speed chase, RUSSELL attempted to flee on foot and discarded an AR-style pistol when doing so. Two Glock pistols with MCDs were located in the car. One was on the driver's side floorboard, and RUSSELL had been driving, and another on top of the passenger seat. RUSSELL's cellular phone contains photos and video evidence of RUSSELL's possession and use of an MCD.

PROBABLE CAUSE

On Friday, February 9, 2024, Officer Richard Cates with CPD patrol division was assisting with a safety checkpoint at the intersection of Bailey Avenue and Melvin Bender Drive in Jackson, Mississippi. At approximately 9:49 P.M., Officer Cates observed a gray Toyota Camry (no tag displayed, VIN: 4T1B61HK5JU088147) turn around and almost cause an accident with another vehicle. Officer Cates attempted to stop the vehicle and the vehicle refused to stop. Officer Cates pursued the vehicle for approximately ten minutes as the vehicle fled through the city of Jackson, reaching speeds of up to 120 miles per hour.

The pursuit ended at the intersection of Pine Ridge Road and Woodland Avenue, where both occupants of the vehicle fled on foot. Officer Cates pursued the driver and observed him throw an AR-style pistol. Officer Cates apprehended the driver, identified as Kylin Demond RUSSELL, a short time later and placed him in custody. A search incident to arrest of RUSSELL revealed a small amount of suspected marijuana on his person.

Investigator Martez Jackson with the CPD FLEX team located the AR-style pistol, an Anderson Manufacturing AR-style pistol, serial number 21452075) in the front yard of a residence on Woodland Avenue and recovered it. Inv. Jackson also conducted an inventory of the vehicle prior to it being towed. During the inventory, Inv. Jackson located a Glock 21, .45 caliber pistol, serial number AGSD807, with an attached black in color suspected machinegun conversion device (MCD) on the driver side floorboard and a Glock 23, .40 caliber pistol, serial number AFZH807, with attached blue in color suspected MCD on the front passenger seat of the vehicle. Also, during the inventory, a Mississippi blackout tag "HOW74" was recovered, which returned expired to that vehicle, registered to Jalea Evern. Law enforcement has learned that Evern is a convicted felon, is on house arrest, has an ankle monitor, and that Evern and RUSSELL know one another.

On Saturday, February 10, 2024, I, Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) Special Agent (SA) Joshua Garrett was contacted and notified of the incident due to the discovery of the Glocks with the suspected MCDs attached to them. I have since coordinated with CPD Investigator Richard Ladinier, who is the CPD investigator assigned to the case. All evidence recovered is currently still in the custody of the CPD.

Early in the month of February, CPD and other area law enforcement, as well as the public, were notified of a viral video circulating on the internet of a drive-by shooting. The video is time stamped and dated October 28, 2023 at approximately 4:24 P.M., but the camera was not

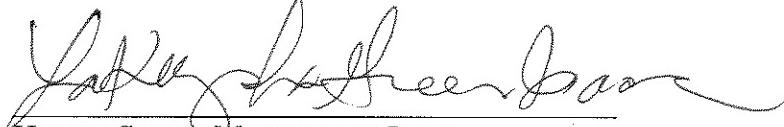
adjusted for daylight savings time, so the actual time was 5:24 P.M., at the intersection of Adkins Blvd. and I-55 Frontage Road in Jackson, MS. During the video, a gray Toyota Camry with a Mississippi blackout tag can be seen driving west on Adkins Blvd. before doing a u-turn near I-55 Frontage Road. During the u-turn, an unknown male can be seen hanging out of the driver's side rear window of the vehicle, firing what appears to be an AR-style pistol at an unknown target, and you can hear an unknown fully automatic firearm firing shortly thereafter. It is unknown who was firing or what vehicle the automatic fire was coming from. All of this happens during the daytime, at a busy intersection with numerous cars, as well as during business hours. Additionally, it takes place in front of the QuikTrip gas station, located at 6010 I-55 Frontage Road, which is a busy gas station.

On Monday, February 12, 2024, Inv. Ladnier applied for a search warrant for RUSSELL's cellular phone, a black Apple I-phone. Inv. Ladnier believes that the gray Toyota Camry that RUSSELL was driving is the vehicle sought after in the drive by shooting on October 28, 2023. The search warrant was signed by Hinds County Circuit Court Judge Winston Kidd, and Inv. Ladnier submitted the phone to the Mississippi Attorney General's office for processing. Later in the day of February 12, 2024, Inv. Ladnier notified me that the cell phone was accessed, and he was able to conduct a preliminary search of the phone prior to having a full extraction done. Inv. Ladnier was able to send me photographs from RUSSELL's cellular phone that were taken on Tuesday, February 6, 2024 and Wednesday, February 7, 2024, and show two Glock pistols with attached suspected MCDs that match the descriptions of the ones recovered subsequent to the pursuit and arrest on February 9. Additionally, in the picture taken on Wednesday, February 7, there are two other firearms present, one of which is an AR-style firearm that matches the description of the AR pistol recovered on Friday, February 9. Inv. Ladnier also relayed that he observed videos of someone firing Glocks with attached suspected MCDs on RUSSELL's phone. On February 13, 2024, I was able to observe RUSSELL's phone. On the phone, I was able to observe videos of an unknown person firing a fully automatic weapon. Additionally, there are videos of RUSSELL holding different Glocks with attached suspected MCDs. One of the Glocks is a multicolored Glock with a blue suspected MCD attached to it. The other is a black colored Glock with an attached MCD to it, and an AR-style foregrip attached to the front of the Glock. The most recent video was taken on Monday, February 5, 2024, during which RUSSELL is seen driving a Toyota car. RUSSELL is seen attempting to fire the multicolored Glock out of the driver's side window, and the firearm jams. RUSSELL and another unknown male are heard discussing the function of the firearm and why it malfunctions. Eventually, the firearm is fired and functions as a fully automatic. RUSSELL then pans the video and shows his face while holding the firearm up in the same frame.

With the above information I, Special Agent Joshua Garrett, request an arrest warrant be issued for Kylin Demond RUSSELL for violation of Title 18, United States Code 922(o), illegal possession of a machinegun.


Joshua Garrett
Special Agent
Bureau of Alcohol, Tobacco, Firearms and Explosives

Sworn and subscribed before me, this 14th day of February 2024.


UNITED STATES MAGISTRATE JUDGE